

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED

In the Matter of S. COUSINEAU, Minor.

No. 302858
Muskegon Circuit Court
Family Division
LC No. 10-039585-NA

Before: O'CONNELL, P.J., and METER and BECKERING, JJ.

PER CURIAM.

Respondent appeals as of right from an order that terminated her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).¹ We affirm.

The child was adjudicated a temporary ward based on unsafe and unsanitary living conditions and a failure by the parents to properly supervise him. At that time, the family had already received several months of services in an effort to improve their parenting skills and keep the family together. The child was released to his father's care, subject to an order forbidding contact with respondent, but the child was subsequently removed from his father's care when the father violated the order.

Respondent does not dispute that the statutory bases for termination were proven by clear and convincing evidence. Rather, she argues only that termination of her parental rights was not in the child's best interests. See MCL 712A.19b(5) ("[i]f the court finds that there are grounds for termination of parental rights and that termination of parental rights is in the child's best interests, the court shall order termination of parental rights and order that additional efforts for reunification of the child with the parent not be made"). We review the trial court's best-interests determination for clear error. MCR 3.977(K); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Parent mentor Christine May testified that she worked with respondent four to six hours a week from December 2009 until April 2010. During that time, May observed very little interaction between respondent and the child. Respondent would sit on the couch and direct the father to care for the child. The child did not "want any part of her. It was the father that he wanted to be with." May did not see any bond between respondent and the child. Respondent

¹ The child's father voluntarily relinquished his parental rights to the child and is not participating in this appeal.

was encouraged to do things such as bathe and play with the child, but she “didn’t want to participate. She wanted everything done for her.” There was no progress made from the time May began working with respondent until she stopped. May was unable to give a single example of how respondent benefited from having a mentor.

Parent mentor Penny Woodring also provided parent-mentoring services to respondent, working with her for approximately four hours a week from May 2010 until the time of the termination hearing in February 2011. Woodring observed many of the supervised visits and did not observe a strong bond between respondent and the child. Woodring answered “No” when asked, “In terms of her interaction do you think during the parenting times she was appropriately engaging with [the child]?” Woodring testified that respondent did not benefit from parenting instruction and continually needed redirection. Woodring opined that respondent was distracted from parenting by her obsession with the father; she clearly loved him and did not want a divorce. Respondent could not put the child’s needs above her own, and Woodring did not believe respondent would be able to manage a household, pay rent, take the child to his doctor’s appointments, or demonstrate any real responsibility. Woodring was at a loss about what more to do for respondent, who had failed to benefit from 17 months of services. She did not believe additional time would help respondent. Woodring believed termination of respondent’s parental rights was in the child’s best interests because the child needed “a stable, healthy, happy environment” and she did not think either parent could provide that.

Like Woodring, foster-care worker Tarah Kline noted that respondent seemed obsessed with the father. Kline admonished respondent to focus solely on the child and her parent-agency agreement, but respondent did not listen. Respondent’s preoccupation with the father affected her ability to care for the child. Respondent had been receiving services in one form or another since September 2009, but made no progress. Kline believed that it was in the child’s best interests to terminate respondent’s parental rights; she opined that respondent never demonstrated an ability to live independently or provide a stable environment for the child.

Dr. Joseph Auffrey testified that respondent had a dependent personality with strong histrionic features. An individual with this particular personality disorder “functions in a very childlike way [in] that they think of themselves as incapable of resolving life problems as an adult and therefore they expect that perhaps parent figures or stronger personalities around them or authority figures will support them and take care of the problems for them.” Such an attitude greatly impairs the ability to parent and protect a child independently. Auffrey indicated that individuals with respondent’s personality disorder were not likely to change in any significant way. Indeed, he stated that it would be “extremely difficult” for respondent to maintain a household, pay bills, and see to it that the child was cared for. Auffrey was not surprised to learn that respondent had made no progress after receiving services, given his prior opinion that respondent had “very little potential to benefit from those services.”

The record establishes that the trial court did not clearly err in finding that termination of respondent’s parental rights was in the child’s best interests. Respondent had no income and no means to care for the child. Respondent suffered from a personality disorder that was not likely to improve. She was offered two parenting mentors but made no improvement; she needed constant reminding and redirecting. Respondent was of average intelligence and capable of learning, but her focus was not on the child’s best interests; rather, respondent was focused on herself and her desire to be with her estranged husband. The only two people who testified that

respondent and the child shared a bond were respondent and her mother, but respondent's mother admitted she attended only two or three of the visits with respondent and that Woodring was in a better position to comment on the interactions between mother and child. Woodring did not believe a strong bond existed. Respondent had been given more than enough time to rectify the conditions that brought the child into care, but she failed to do so. After 17 months of failed effort by agencies to improve respondent's parenting skills, the child was entitled to permanence and stability.

Affirmed.

/s/ Peter D. O'Connell

/s/ Patrick M. Meter

/s/ Jane M. Beckering